

TEXAS SOUTHERN UNIVERSITY
MANUAL OF ADMINISTRATIVE POLICIES AND PROCEDURES

SECTION: Fiscal Affairs

NUMBER: 03.08.05

AREA: Billing and Collections

SUBJECT: Employee Financial Responsibility

I. PURPOSE

The purpose of this document is to define the financial obligations of employees to Texas Southern University (TSU) and the sanctions for not fulfilling those obligations. This document applies to all faculty, staff, and student employees of TSU and to all financial obligations and payments due or made to the university by the employees. The procedures in this document will be followed by the Bursar's Office, Human Resources, Parking and Transportation Services, and other affected departments, and applied to financial obligations of all university employees and potential employees.

II. POLICY STATEMENT

- A. TSU employees are required to satisfy their financial obligations to the university in a timely fashion. Employee financial obligations include payment for parking permits; payment for parking citations or towing; purchases of goods or services from university auxiliary operations; payment for tuition, fees, or housing; library fines; Health Center or counseling and testing charges; any personal checks submitted for payment; or any other financial obligation to the university incurred by the employee.
- B. An applicant must be in "good financial standing" with the University to be approved for new employment. For purposes of this policy, a person is considered to be in "good financial standing" with the University if they have satisfied all debts at the time incurred or within the timeframe allotted by this policy.
- C. The writing and/or presenting of a check against insufficient funds or a closed account or the issuance of a stop payment after goods or services have been delivered is considered **theft**, under certain circumstances, according to Texas statutes. Employees who present checks to the university that are returned unpaid by the financial institution will be subject to service charges and may be subject to forfeiture of check-writing privileges, loss of certain university opportunities and services, disciplinary action in accordance with applicable University policy, and referral for prosecution.
- D. Failure of an employee to pay for services provided or fines assessed by the due date noted on any billing statement will constitute debt delinquency and may result in loss of these services; loss of certain university opportunities; assessment of a collection charge; disciplinary action; referral to a collection agency; and reporting to a credit bureau.

III. DEFINITIONS

For the purposes of this document, the following definitions apply:

- A. Applicant: A person applying for employment who has never been on the TSU payroll; one whose employment with the university has been interrupted and who is applying for new employment; or a person applying for renewal or extension of appointment.
- B. College/division administrator: The person with business management responsibilities for that college or administrative division.
- C. Delinquent debt: Any obligation to the university that is not paid by the due date indicated on the billing statement or letter.
- D. Employee: Any person employed to perform a service for the university and paid through the university payroll system—regardless of whether the person is staff or faculty, full-time or part-time, temporary or permanent, or holds student status.
- E. Financial obligations: Any debt owed to TSU, which includes, but is not limited to, payment for parking permits; parking fines; purchases of goods from university auxiliary operations; payment for tuition, fees, or housing; library fines; transcript charges; health center or counseling and testing charges; travel advances; personal checks submitted for cash; checks that are returned unpaid by the financial institution; and reimbursement to the university for any erroneous payment to the employee.
- F. Master Check List: The list maintained by the Bursar's Office of persons who have submitted two (2) checks to the university that have been returned unpaid by the financial institution or one check which is not made good within ten (10) days. Persons whose names appear on the Master Check List must provide payment to the university by cash, credit card, money order, or cashier's check until they qualify for removal from the list. A check writer may petition the Bursar for removal of his/her name one year after the first check has been made good, assuming all subsequent checks have also been redeemed. Guidelines for petitioning are available from the Bursar.
- G. Non-regular employee: A university employee appointed to a position designated as temporary, as one requiring student status as a condition of employment, as lump sum, and/or as non-benefits eligible. (Note: Certain graduate student positions may be insurance eligible, but are considered non-regular.) With a few exceptions, this employment category includes all positions not defined as regular. Non-regular employees may be terminated without cause or without due process required for regular employees.

- H. Payment plan or payment agreement: An agreement arranged with the university by the Bursar's Office or Office of General Counsel for regular payment of the delinquent debt (excluding returned checks) over a defined period of time. Employees must pay all current debt in full and are not eligible for payment agreements to avoid sanctions.
- I. Probationary employee: An employee within the initial employment period defined as "probation" by university policy, during which the employee's performance is monitored to determine whether employment should be continued and during which the employee may be terminated without cause.
- J. Regular employee: A university employee who is appointed for at least .50 FTE (20 hours per week) or more on a regular basis for a period of six (6) continuous months or longer, excluding those employed in positions that require student status as a condition of employment. These employees are eligible for regular employee benefits and accrue paid leave entitlements in proportion to the FTE for which they are appointed.
- K. Returned check: A check presented in payment or for cash that is returned unpaid to the university by the financial institution for insufficient funds, because the account has been closed, or because a stop payment has been issued after goods or services have been delivered or the services rendered.
- L. Supervisor: For the purposes of this document, any person in the chain of command with supervisory authority over an employee, not necessarily the direct supervisor.

IV. POLICY PROVISIONS

- A. The Office of Human Resources will not approve an applicant for employment until any existing delinquent debt to the University is paid.
- B. University employees shall be accountable for all checks submitted in payment to the university for any purpose. A check written to Texas Southern University by a university employee that is returned unpaid will result in the following sanctions:
 - i. A returned check charge of at least \$20 will be assessed.
 - ii. The returned check must be redeemed with cash, credit card, cashier's check, travelers' check, or money order.
 - iii. If the employee's returned check to the university is not made good within ten (10) days from the date of the notice letter, the following employee sanctions will apply:
 - a. The employee may be subject to criminal charges.

- b. All check-writing privileges will be forfeited until the check is made good.
 - c. The employee may be subject to disciplinary action in accordance with the university's discipline policy.
 - d. Even if the employee's first returned check is made good within the required ten (10) days from the date of the notice letter, upon return of the second check, all check-writing privileges will be forfeited for one calendar year from the date of the return of the second check, with reinstatement of check-writing privileges only upon successful petitioning to the Bursar's Office. *(See also III, F)*
 - e. When check-writing privileges are forfeited, any required payments to the university must be made by cash, credit card, cashier's check, travelers' check, or money order.
- C. Failure to pay university accounts in full by the due date and/or to make returned checks good will result in the following sanctions:

Regular employees:

- i. The employee will be ineligible for a campus parking decal.
- ii. The employee may be deemed to not be in "good financial standing", as defined by this policy, and may be subject to disciplinary action in accordance with the university's discipline policy.

Non-regular and probationary employees are subject to immediate termination and may not be considered for reappointed until the debt is paid in full.

- D. University employees previously allowed to enter into payment agreements have been provided copies of terms and conditions of payment agreements. An employee who defaults for the second time as defined in these terms and conditions will be given ten (10) days to pay the account balance in full. If the balance is not paid in full within the ten (10) day period, the employee will be subject to further collection actions.
- E. University employees are informed of their indebtedness to the university through regular mail (U.S. Postal Service). It is, therefore, imperative that employees maintain their current address on file through submission of a corrected Personal Data Sheet to the Office of Human Resources. If the invoice is mailed to the current address provided, the university will not waive delinquency sanctions based upon claims of non-receipt of billing statements or any other notification of indebtedness.

V. PROCEDURES

A. APPLICANTS FOR UNIVERSITY EMPLOYMENT

- i. Before an offer is made to any applicant, university debt records should be verified on-line to ascertain whether the applicant has delinquent university debt. If delinquent debt is discovered, the offer should not be made unless and until the delinquent debt is paid.
- ii. As a further step in the employment process, Human Resources staff will review employee on-boarding documentation against university debt records and will return the employment paperwork to the submitting administrator if a delinquent debt is found.
- iii. The college/division administrator will be responsible for ensuring that the applicant is informed that his/her employment has been suspended without pay pending resolution of university delinquent debt. It is then the responsibility of the applicant to contact the Bursar and pay any delinquent debt to the university.
- iv. Upon payment of the debt in full, all STOPs will be removed from the account. The administrator is then clear to submit the employment paperwork.

B. EMPLOYEES WITH RETURNED CHECKS

Checks may be accepted from employees in payment for goods, services, fees, or fines with two pieces of identification: a TSU staff or faculty ID and a driver's license. (If the individual writing the check does not have a driver's license, a picture ID issued by the Texas Department of Public Safety or a passport may be accepted as the second identification. A driver's license only is adequate identification if the individual is providing payment for which university status is not required.) The check writer's social security number is required on the face of the check; the university extension is also required for university employees. The clerk accepting the check is required to review the employee's account to verify that the employee has check-writing privileges.

Under certain circumstances, applicable law defines as **theft** the writing and/or presenting of a check against insufficient funds or a closed account, or the issuance of a stop payment after goods or services have been delivered. If an employee presents a check to the university that is returned unpaid by the employee's bank, the following will occur:

- i. Within one week of receipt of the unpaid check, the Bursar's Office will notify the employee by certified mail that the check was returned and for what reason(s); e.g., "nonsufficient funds," "account closed," or "stop payment."

- ii. The employee is then required to redeem the check within ten (10) calendar days of the date of the notice at the Bursar's Office. Cash, cashier's check, travelers' check, or money order must be used to redeem the check.
- iii. A returned check charge of no less than \$20 will be assessed the employee at that time.
- iv. An employee who fails to make the returned check good within the ten (10) day time frame may have the following sanctions applied:
 - a. Immediate loss of check-writing privileges until the check is redeemed.
 - b. The matter may be referred to the District Attorney or Justice of the Peace for possible prosecution. The employee will be liable for all collection and legal fees.
 - c. The employee may be subject to further collections actions.
- v. An employee who presents two (2) checks to the university within one year that are subsequently returned unpaid by the bank (regardless of whether they are made good within the 10 day period) will forfeit his/her check writing privileges for one year and be added to the university "Master Check List." After one year, the employee's name may be removed from the list upon petitioning of the Bursar's Office, based upon the employee's financial record.
- vi. Any subsequent check submitted to the university that is returned unpaid will result in permanent suspension of that employee's check-writing privileges.
- vii. Any unredeemed checks are treated like other delinquent debt to the university. Delinquent debt information is provided to Parking and Transportation Services, Human Resources, Residential Life and Housing, and other departments needing this information—and at the appropriate time will be referred to the Bursar's Office, who will proceed to assess a collection charge and collect the delinquent debt. Uncollected debt may also be referred to a credit bureau and/or to a collection agency. Employee services and privileges are suspended as outlined in Section C, Employees with Delinquent Debt.

C. EMPLOYEES WITH DELINQUENT DEBT

- i. Employees may incur financial obligations to the university for goods, services, fees, fines, or erroneous payments by the university to the employee. Examples include parking permits; parking fines; library fines; or tuition, fees, and housing.

- ii. If the financial obligation is due to an overpayment of payroll, the overpayment will be deducted from a subsequent payroll payment.
- iii. Upon failure to pay for such obligations by the due date, the employee's account will reflect that it is delinquent; employee delinquent account information is made available to Parking and Transportation Services, Residential Life and Housing, Human Resources, the Health Center, and other appropriate departments, as necessary--and at an appropriate time to the Bursar's Office.
 - a. Parking and Transportation Services will not issue a parking decal to an employee whose account is indicated as delinquent until the debt is cleared.
 - b. Normally, at the end of approximately ninety (90) days, delinquent debts are referred to the Bursar's Office for collection and ultimately may be referred to a collection agency and a credit bureau. The employee will be responsible for all collection fees and fines assessed at that point.
 - c. The delinquent debt may be paid to the Bursar's Office.
- iv. When an employee debt becomes delinquent, the following collections actions will be initiated:
 - a. The employee will be contacted by the Bursar's Office and notified of the requirement to pay or be subject to the university sanctions outlined in Section IV of this document. A Notification of Delinquent University Debt form (Addendum A), a copy of the employee's account statement, and a copy of this document will be provided at that time.
 - b. Thirty (30) days after the initial notification, if the employee still has not paid the delinquent debt, a second notice letter will be sent to the employee. The employee will be advised that they may be subject to disciplinary action pursuant to relevant university policy for failure to settle the debt. A second copy of the employee's account statement and this policy will be furnished at that time.
- v. The employee will sign, acknowledging receipt of the letter, statement, and this policy. A copy of the signed/acknowledged letter will be furnished to the Executive Director for Human Resources for the employee's personnel file.
- vi. Thirty (30) days after the second notification by the Bursar's Office, if the delinquent debt has not been paid in full, disciplinary action will be

initiated in accordance with the university's discipline and termination policy (MAPP 02.05.03)

- a. At any point in the process, the employee may appeal any item(s) of indebtedness through the appeal process outlined in Addendum B.

- vii. Employees who have entered into payment agreements with the university are provided with copies of the terms and conditions of the agreement related to timeliness and default. Should an employee default under the terms of the agreement the second time (either by tardiness of 15 additional days for one late payment or by tardiness of 15 days for a second payment), the Bursar's Office will notify the employee that the balance is due and payable within ten (10) calendar days. If the balance is not paid in full within that time period the employee may be subject to disciplinary action in accordance with applicable university policy.

VI. REVIEW AND RESPONSIBILITY

Responsible Parties: Chief Financial Officer

Review: Every three years, on or before July 1

VII. APPROVAL

Jim McShan
Vice President of Finance

Dr. John Rudley
President

Date of President's Approval June 24, 2009

Addendum A

Texas Southern University
Notification of Delinquent University Debt

DATE:

TO: College/Division Administrator
College/Division

FROM: Human Resources Department
Billings and Collections

SUBJECT: Applicant or Employee

The account of the person whose name appears above indicates:

- Delinquent debt to the university. A copy of the account is attached.
- Defaulted payment agreement. Copies of payment agreement and account are attached.
- A returned check; check number: check date: amount:

COPY TO: Employee/Applicant

Your university account reveals the financial obligations(s) indicated above and on the attached report.

If you are applying for employment, you are hereby notified that you are not cleared to start work until the delinquent debt is cleared.

If you are a current employee, you may not obtain a parking decal or promotion or other employment enhancements until the delinquent debt is cleared.

Please contact the Bursar's Office to clear your account.

Copy (for employment applicants): Executive Director, Human Resources

Addendum B

Appeal Process for Employees Related to Financial Responsibility

This appeal process is available to any person who has a university delinquent debt or a returned check as outlined in this document—regardless of whether the person is staff or faculty, full-time or part-time, temporary or permanent, or whether holding student status.

- An employee may receive a copy of his/her account at any time from the Bursar's Office.
- An employee who believes that any item(s) on his/her statement of delinquent indebtedness to the university is incorrect for any reason shall contact the manager of the area responsible for the charge. The names of these managers may be obtained from the Bursar's Office.
- If the employee is not satisfied with the manager's explanation, he/she may appeal in writing to the Chief Financial Officer (CFO). Within 10 days of receipt of the appeal letter, the CFO or his designee will consult with the Bursar and/or the manager of any other involved area. The issue before the group will be limited to the delinquent debt itself—its existence, the amount, the source(s), and the institutional policies related to the charges. If student and/or academic policies are involved, individuals with responsibilities in those areas may be consulted, also.
- Within fifteen (15) working days of receipt of the appeal letter, the CFO will inform the employee of the decision.
- The decision of the Chief Financial Officer will be final.